

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, JULY 8, 1999  
2:30 P.M.**

Commissioners Present: Kathy Campbell, Chair  
Larry Hudkins, Vice Chair  
Bernie Heier  
Linda Steinman

Others Present: Kerry Eagan, Chief Administrative Officer  
Diane Staab, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Dave Kroeker, Budget & Fiscal Officer  
Cori Beattie, County Board Secretary

Campbell stated that Commissioner Heier suggested holding a session on flood plains in the future to discuss current policies governing construction in those areas. She asked Eagan to schedule a one-hour session during a Thursday staff meeting sometime after the Board of Equalization hearings are completed. Other agencies to be involved are: Planning, Natural Resources District, Nebraska Emergency Management Agency and Public Works, to name a few.

**AGENDA ITEMS**

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, JULY 1, 1999**

**MOTION:** Steinman moved and Heier seconded approval. Roll call vote; motion carried unanimously.

Campbell noted that Commissioner Workman is on vacation and therefore, will not be attending today's staff meeting.

**2 ADDITIONS TO THE AGENDA**

- a. Appointment to the Commissioners Award of Excellence Selection Committee
- b. Report on Meeting with Commissioners Campbell and Hudkins and Mayor Wesely
- c. Updated List Regarding Board of Equalization Schedule

**3 COMMISSIONERS MEETING REPORTS - See Item No. 11**

#### **4 BUDGET UPDATE - Dave Kroeker, Budget & Fiscal Officer**

Kroeker distributed a handout regarding contracted nursing services for the Community Mental Health Center (copy on file). This information shows a \$21,922 increase, reflected by an increase in the hourly rate charged by BryanLGH West for these services. Campbell suggested that the Mental Health Center evaluate whether they can absorb these additional costs at this point.

Kroeker distributed a handout regarding the Library's budget increase of 7.1% (copy on file). He said he has not had a chance to discuss specifics with Paul Jones, Library Accounting Supervisor, but would contact him regarding the bid. Hudkins agreed that it's hard to approve an increase without knowing the reason for it.

Kroeker distributed yet another handout - this one regarding the Convention & Visitors Bureau (CVB) proposed budget for FY1999-2000 (copy on file). In the past, the County paid out 1/12 of the budget each month. The other option would be to pay them only for expenses accrued each month. Steinman said the CVB used to submit a monthly expenditure report. Kroeker said it would be cleaner to pay them 1/12 of the budget and still require a monthly report. Then, if the County has a question regarding a particular item, it could be easily addressed.

In regard to the depreciation, Kroeker said they can reflect it on their books but the County would not include this amount in their payment.

Eagan said the CVB will still need to put money down up-front for the national roller skating championships but will be reimbursed from the hotels. Campbell noted that a voluntary assessment of \$1.00 per room has been implemented. The Chamber of Commerce is up fronting costs for the rollerskaters and then they will be reimbursed by the voluntary assessment. Campbell noted that this money (and interest) should be under the County's jurisdiction and listed as a separate line item. She would be concerned if there is a substantial amount left in the CVB's account at the end of the year. The County needs to stay informed by continuing to ask questions about expenditures.

It was noted that during the CVB's next quarterly report to the County Board (probably in August), other issues, such as programming, may be addressed.

**MOTION:** Steinman moved to accept the CVB proposed budget of \$695,200 (\$705,600 - \$10,400 depreciation) and requested the CVB to provide monthly accounting statements to the County Board with the roller skating item listed separately; seconded by Hudkins. Roll call vote; motion carried unanimously.

The Board reviewed the Comparison FY00 to FY99 Expense Budget handout (copy on file). Kroeker asked the Board to pay particular attention to the building fund. A line indicating various Public Building Commission (PBC) projects in the amount of \$437,748 was rebudgeted and does not reflect a big impact.

In reference to a replacement building for the Election Commissioner, Kroeker said he did not include any figures. Hudkins commented that he would like to see the County start building for this fund. Campbell agreed that the County should begin looking at this option, but it should not be listed specifically. It could possibly be included under "Future Planning of PBC and Parking." Steinman noted that the old Burlington Credit Union Building was once an option. Building a new structure may not necessarily have to happen. Campbell added that there may also be some possibilities at 46<sup>th</sup> & R Street.

Campbell questioned whether the proposed budget bottom line includes the money passed through from the State. Kroeker said that budget is not included and will be going up again. At this point, the budget increase is 5.11%. Debt service is 127.27%. It was noted that now is the time to look at the percentage rate and the tax rate since there is an expectation of a tax break.

**5 COUNTY CHANGE OF ZONE NO. 189, TEXT AMENDMENT TO REMOVE "DOMESTIC SERVANT" LANGUAGE - Mike DeKalb, Planning Department**

DeKalb distributed a County Board Fact sheet regarding County Change of Zone No. 189 (copy on file). He noted that the Planning Department recommended approval; the Planning Commission also approved the change. Campbell said she would go ahead and send a note and copy of this information to Mr. Thomas Stewart. Eagan commented that he would work with Campbell on the letter.

Eagan said he would visit with DeKalb regarding better ways of notifying the Board of upcoming planning issues. It was noted that items need to be turned in to Eagan by Tuesday afternoon.

**6 POST EMPLOYMENT HEALTH PLAN (PEHP) AND SALARIES FOR UNCLASSIFIED, UNREPRESENTED EMPLOYEES - Georgia Glass, Personnel Director; John Cripe, Classification Manager**

Cripe noted that there are a few issues which need to be resolved before this fall. One is salaries for unrepresented, excluded employees. AFSCME is contracted for two years with the second year receiving a 3% cost-of-living raise. The other issue is the PEHP contribution for these classifications - AFSCME's contribution for the second year has been increased from \$11 to \$22.90. Last year's PEHP contribution for Unrepresented was \$7,65 and the salary increase was 3.5%. Cripe said the PEHP amount for Unrepresented employees should be adjusted. Changes would be effective August 26, 1999.

In regard to the amount of sick leave paid out to an employee who retires, Cripe said he has contacted departments three times regarding the following change - employees will still be entitled to a 30% payout for any hours over one thousand (1,000), with an additional 20% will be deposited into the employee's PEHP account.

Cripe added that the Personnel Department could provide the Board with some overall salary averages, including appointed officials/directors. He noted that smaller counties in the area are looking at 4-6% increases due to turnover rates being much greater. Lancaster County may eventually see similar problems in this regard.

In regard to Sheriff's captains, salary recommendations would come from the merit commission. Eagan said the Board would probably want this information. Cripe said he could come back to the Board with recommendations in early August as to leave them enough time to review the information and vote before the August 26<sup>th</sup> effective date.

Hudkins inquired about the Employee Advisory Team (EAT) charge. Glass said she was somewhat disappointed by the lack of progress during EAT's last meeting. Cripe said the group, by statute, is to advise and amend recommendations to the Personnel Policy Rules. He noted that Personnel agreed to look at language last year which included the elimination of EAT. There would still need to be a way to get employee's voices heard, regardless. Cripe stated that the language regarding the EAT was defined before unions existed and probably needs to be modified, though, it would be difficult to eliminate EAT completely.

Eagan mentioned that at one time, the Board wanted to review the process of when someone changes from City to County employment, especially in regard to pension matters. There was also discussion about eliminating EAT but no consensus was reached. Eagan has been in contact with Jane Burke, counsel for the union. Cripe said there was agreement to pursue modifications to EAT, but not to eliminate it. Hudkins inquired whether Douglas County allows union to be represented on their employee committee. Cripe said he was not sure but could find out. He thought one position was designated as a direct spokesperson to the Mayor. Staab added that their employee committee has a lot more power regarding salaries, etc. Cripe stated that AFSCME's representation on EAT is a hot issue right now and needs to be resolved by this fall.

In reference to the Community Mental Health Center psychiatrist salaries of \$85 per hour, Cripe noted that this is legitimate compensation; accounting for exact hours is another matter.

## **8 CONSENT ITEMS**

- a. Vacation Request from Kerry Eagan for Monday, July 19 to Friday, July 23, 1999
- b. Conference Attendance Request from Mike Thurber for Sunday, August 8 to Thursday, August 12, 1999

**MOTION:** Steinman moved approval of the Consent Items; seconded by Hudkins. Roll call vote; motion carried unanimously.

## **9 ADMINISTRATIVE OFFICER REPORT**

- a. Letter from Beatty Brasch regarding Rent Increase for Lincoln Action Program at Trabert Hall

Board members were under the impression that previous notices were sent to all tenants advising them of rent increases. It was suggested to contact Don Killeen, County Property Manager, to verify whether notices were distributed.

**MOTION:** Steinman moved to forward Brasch's letter to Don Killeen; seconded by Hudkins. Roll call vote; motion carried unanimously.

In regard to the Commissioner's Award of Excellence Selection Committee resignation, Eagan said he would verify if this item needed to be placed on the County Board's Tuesday meeting agenda.

## **11 DISCUSSION OF BOARD MEMBER MEETINGS**

### a. Region V Grant Review

Eagan said a meeting regarding the Region V F<sup>3</sup> Project is scheduled for Monday. Lancaster County and Region V jointly applied to the federal government for the grant. The money came to Health & Human Services (HHS) and is being paid entirely to Region V who is administering the funds, developing a budget, etc. There is no continuity and problems have arisen which are prohibiting any progress. Campbell said she would contact Ron Ross, HHS Director, before Monday to further discuss the issue. She added that Kit Boesch, Human Services Administrator, would recommend the County run the grant.

### b. Ecological Advisory Committee

Heier said Steve Masters discussed Beal Slough. The main concerns were wetlands and wildlife. There was also discussion regarding a proposed 44 acre lake at 70<sup>th</sup> & Yankee Hill Rd.

### c. Budget Monitoring Committee

Campbell said committee members are showing great attendance. Members include: Jim Nissen, Chamber of Commerce; Jim Gordon, Bar Association; Ron Krejci, Hickman State Bank; John Boehm, LIBA; Sheriff Terry Wagner, Don Thomas, County Engineer; Dennis Banks, Attention Center Director; County Commissioners Campbell and Steinman; Dave Kroeker, Budget & Fiscal Officer; and Kerry Eagan, Chief Administrative Officer. At this meeting, Banks gave an overview of the new Attention Center. Future presentations were offered to any of the organizations represented on the Committee. Kroeker discussed the Building Fund and Bond Indebtedness. The next meeting is July 27<sup>th</sup> at noon in Room 113. Copies of the proposed budget and the One and Six-Year Plan will be distributed. The group would also like a tour of the remodeled Hall of Justice and Law Enforcement Center. It was added that the Common should also take a tour of this facility, though, the building may not be ready for tours until September. Steinman indicated that she would talk to Don Killeen regarding a tour.

d. Board of Health - Subcommittee

Hudkins noted that Board Members may be hearing from the Nebraska Restaurant Association regarding controversy surrounding warm food temperatures. Traditionally, this was 140 degrees but there is now new evidence which shows the temperature may be lowered to 130 degrees. The question is, "Is it worth the risk?" Nothing has been changed on a national level.

e. Board of Equalization - Campbell

Campbell distributed updated Board of Equalization schedules (a copy is on file). Changes were:

- \* Wednesday, July 14 from 9:00 to 10:00 a.m. - orientation (location TBA);
- \* Wednesday, July 14 from 10:00 a.m. to noon - protest hearings (Chambers)
- \* Thursday, July 15 from 9:00 a.m. to noon - protest hearings (Chambers)
- \* Thursday, July 15 afternoon session - CANCELLED
- \* Tuesday, July 20 from 2:30 to 5:30 p.m. - protest hearings (Chambers)
- \* Wednesday, July 21 from 9:00 a.m. to 3:00 p.m. - protest hearings (Chambers)
- \* Thursday, July 22 and Friday, July 23 from 9:00 a.m. to 5:00 p.m. - protest hearings (Chambers);
- \* Saturday, July 24 at 8:00 a.m. to noon - wrap up (Chambers)

The second week remains the same as previously distributed. No changes are planned for this week as some time is being reserved at the end of each day for review and discussion and to allow some flexibility should commercial hearings run long.

Campbell noted that the orientation on July 14<sup>th</sup> will run through the book, the Chair's comments, the proceedings and how the referee's would like the Board to react. Tom Kubert will be stepping forward to help walk presenters through questions on both residential and commercial protests. Obviously Board Members can ask questions on individual residential properties, but commercial properties are more difficult. Remember, all protest comments are recorded and can be used in a court of law. Ninety-nine percent of the time, the County Board will agree with the referee's recommendation unless additional information is presented which proves otherwise. The Board can then direct the referee to review the protest. At the end of the day's session, the County Board will take tentative action on all protests with the exception of any pending further review. This year, there are 1,700 protests. Medcalf said letters are being sent to seven or eight property owners whose protests were received after the filing deadline. Campbell asked that a copy of one letter be forwarded to the Board.

f. Monthly Meeting with Mayor Wesely and County Board Chair & Vice Chair

Campbell noted that the meeting went very well. The following issues/concerns were broken down by County and Mayoral input:

COUNTY:

- \* Mayor's use of Room 113 on Thursdays - Mayor Wesely said he would move his press conferences to the Chambers. Evidently, there was a past legal opinion which forbade this due to the political nature of some questions.
- \* Cut in Personnel Department - The Mayor proposed changing a full-time position to part-time. This would affect the person who did compensation work for the County. The Mayor said it was too late to put the expense back in the City's budget but asked the County if it would be willing to pick up the additional \$22,000. The issue was not discussed again with the Mayor. Hudkins said that in regard to the County's contract with Personnel, if the Mayor determined that the same quality of service can be provided with a part-time employee, then the County should not be concerned.

**MOTION:** Hudkins moved that Campbell send a letter to Mayor Wesely regarding the City-County Interlocal Agreement in which the Personnel Department provides services to the County and that the County expects to receive the same level of services as in the past regardless of the Mayor's decision to downsize a position directly relating to County compensation functions; seconded by Steinman. Roll call vote; motion carried unanimously.

MAYOR:

- \* Opening 3<sup>rd</sup> floor of County-City Building - The County questioned where the funds would come from in order to do this. Hudkins said a building would need to be sold. It would cost \$750,000 alone to move Information Services to the building. The Mayor would like to sell the Old Federal Building but finding a buyer is highly unlikely.
- \* Parking - The County informed the Mayor of past discussions including the Election Office lot and constructing a two-story parking garage on the far south lot (though the cost would be \$11,000 - \$16,000 per stall). There may also be a different view in reapproaching the closure of "H" Street.
- \* Employee Parking - Mayor Wesely wants employees to pay for parking beginning immediately. A 1993 City Attorney opinion states there is a duty to negotiate this term and condition of employment with the labor unions. The County Attorney has also researched the issue. Eagan drafted an opinion request to the County Attorney's Office. A copy of this opinion request will be sent to the Mayor's Office. Hudkins noted that Don Killeen is working on obtaining some additional parking spaces under the viaduct. Fleet cars could go to the old naval reserve. Law enforcement vehicles will add to the parking problems, though, there was mention of expanding the garage lot. It was noted that the east parking lot is leased on a yearly basis from NEBCO.

Meetings with the Mayor and County Board will take place on the first Thursday of each month at 2:30 p.m. It was noted that topics for this meeting be discussed at the previous Thursday's staff meeting.

Campbell said she spoke with Coleen Seng (City Council) and John Bradley (Planning Director) regarding Stevens Creek. Even though the County has made it a top priority, nothing has been done recently. The Mayor said this would be at no cost to the County because it should be covered by the fees. A memo from Bradley reflected otherwise. It was noted that the County fees have been going in the General Fund. She suggested that when the Planning Department's budget is reviewed on July 21<sup>st</sup>, the County asked (1) whether the City Council is committed to the position that they would be willing to let John Bradley advertise for it before the budget is approved; and (2) obtain an accounting of fees from the Planning Department's budget so the County gets credit for what it puts in. This would help to track development fees. Campbell spoke with Rick Krueger from the Homebuilders Association and asked him his opinion regarding fees. He felt they would remain neutral.

It was stated that the County Board really needs to examine all City budgets for other areas where County fees may not be shown.

Other future meetings:

- \* Tuesday, July 13 - Budget working session from 8:00 a.m. to noon
- \* Tuesday, July 13 - Staff meeting with River Oaks Telecommunications at 2:30 p.m.
- \* Wednesday, July 14 - Staff meeting from 12:30 to 2:30 p.m. (To include a discussion with the Railroad Transportation Safety District at 1:00 p.m.)
- \* Wednesday, July 21 - Common budget hearings from 4:00 to 8:00 p.m.
- \* Tuesday, August 3 - Review of Rural Fire District budgets; 10:00 to 11:30 a.m. (This meeting will be to review all budgets. If necessary, individual districts will be asked to meet with the Board at a later date.)
- \* Tuesday, August 17 - County Budget Public Hearing at 7:00 p.m.

There being no further business, by direction of the Chair, the meeting was adjourned.

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Cori R. Beattie  
County Board Secretary